

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Criminal Application No. 124 of 2024

ABC

40 years old, Occ. Home-maker,
R/at. Rai Heritage, Flat No.C/703,
Near Kamladevi College,
Khadegolwadi, Kalyan East, Thane.

...Applicant

Vs.

1. The State of Maharashtra
Through Kolsewadi Police Station,
Thane City.

2. Manoj Ramsakal Rai
About 58 years old, Occ. Business,
R/at. Harikunj Bungalow, Santosh
Nagar, Pune Link Road, Tisgaon,
Kalyan East, Thane – 421 006.

...Respondents

Mr. Viraj Shelatkar, for the Applicant.
Mr. Arfan Sait, APP for the Respondent – State.

Coram: R. N. Laddha, J.
Date: 29 July 2024

P.C.

. Heard Mr Viraj Shelatkar, the learned Counsel appearing on behalf of the applicant and Mr Arfan Sait, the learned Additional Public Prosecutor representing the respondent/ State.

2. By an order dated 27 February 2024, respondent No.2 was granted pre-arrest bail in CR No.231 of 2024, registered at Kolsewadi Police Station, Thane, for the offences punishable under Sections 376(2)(n), 313, 323, 504, and 506 of the Indian Penal Code.
3. The applicant, the first informant, seeks the cancellation of pre-arrest bail granted to respondent No.2. The basis for this request arises from the seriousness of the offence and the potential risk of evidence tampering, given that the applicant is a former corporator and holds political influence.
4. Upon reviewing the records, it appears that the relationship between the applicant and respondent No.2 spanned for approximately seven years, during which both parties were of legal age. The nature of their relationship appears to have been consensual. On 27 February 2024, the learned Additional Sessions Judge, Kalyan, granted anticipatory bail to respondent No.2. Subsequently, following the completion of the investigation, a charge sheet was filed. There is no material to suggest that respondent No.2 tampered with prosecution evidence or influenced witnesses. At this stage, with the charge sheet filed and the investigation concluded, there is no justification for entertaining an application to cancel pre-arrest bail.
5. Accordingly, the application stands rejected.

R. N. Laddha, J.